

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ANTHONY E. GILL
TDCJ 647051

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§
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§
§

VS.

C.A. NO. C-01-044

JANIE COCKRELL

§

**ORDER DENYING AS MOOT PETITIONER'S MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL**

On January 16, 2001, petitioner Anthony E. Gill filed a § 2254 petition for habeas corpus relief, (D.E. 1), and an application to proceed *in forma pauperis* ("i.f.p."). (D.E. 2). On June 19, 2001, his motion for leave to proceed i.f.p. was granted. (See D.E. 14).

Pending is petitioner's motion to proceed i.f.p. on appeal. (D.E. 53). Having previously been granted i.f.p. status in this habeas corpus case, petitioner need not seek re-authorization to proceed i.f.p. on appeal.¹ See Fed. R. App. P. 24(a)(3). Accordingly, petitioner's motion to proceed i.f.p. on appeal is denied as moot.

ORDERED this 13th day of November, 2006.



Janis Graham Jack
United States District Judge

¹Although the Prison Litigation Reform Act ("PLRA") triggers new i.f.p. certification requirements for prisoner appeals, Jackson v. Stinnett, 102 F.3d 132 (5th Cir. 1996), the PLRA does not apply to habeas corpus proceedings. United States v. Cole, 101 F.3d 1076 (5th Cir. 1996) (§ 2255); Anderson v. Singletary, 111 F.3d 801 (11th Cir. 1997) (§ 2254).